

Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: September 24-25, 2003

Reference No.: 2.8e.
Action Item

From: ROBERT L. GARCIA
Chief Financial Officer

Prepared by: Jay Norvell
Acting Division Chief
Mass Transportation

Ref: **REQUEST TO EXTEND THE PERIOD OF CONTRACT AWARD, PER RESOLUTION
G-99-25, FOR LOCAL PROPOSITION 116 PROJECT, WAIVER-03-25**

ISSUE:

The North County Transit District (NCTD) is requesting a six (6) month time extension for contract award on Proposition 116 funds currently out to bid for construction of a 1.7 mile passing track in the City of Encinitas. The attachment shows the details of the project and the delay that has resulted in the extension request. The project sponsor requests an extension, and the planning agency concurs.

RECOMMENDATION:

The Department of Transportation recommends approval of this time extension request.

BACKGROUND:

Resolution G-99-25, Guidelines for Allocating, Monitoring, and Auditing of Funds for Local Assistance Projects, adopted by Commission on August 18, 1999, stipulates that funds allocated for the construction phase of local grant projects are available for contract award for a period of 12 months from the date of the allocation. The guidelines further stipulate that the Commission may approve a waiver to the contract award deadline one time only for up to 20 months in accordance with Section 14529.8 of the Government Code.

Attachment

September 2003 Meeting Waiver/Time Extension Requests		
Regional Agency	Extension Amount	Number of Months Requested
Local Agency	STIP Fund Type	Extended Deadline
	Component	CT Recommendation
San Diego Association of Governments (SANDAG) (allocated amount \$3,000,000)	\$2,877,462	6 Months
North County Transit District (NCTD)	P116	03/31/04
Oceanside/San Diego Commuter Rail Project PPNO 11-8201D <u>Extension for Project Contract Award</u>	Construction	Support
Reason for Project Delay:		
The award of the construction contract has been delayed as a result of community controversy. The City of Encinitas filed suit in the Superior Court of the State of California claiming that NCTD, through its implementation of the Encinitas Passing Track Project, is in violation of the California Environmental Quality Act and the California Coastal Act. The legal issues have since been resolved, therefore the City of Encinitas has since dropped its lawsuit against NCTD.		